

April 3, 2001

S 826. CRIMINAL RECORD CHECK CHANGE/LONG-TERM CARE. TO REPEAL THE REQUIREMENT FOR A NATIONAL CRIMINAL HISTORY RECORD CHECK FOR CERTAIN LONG-TERM CARE FACILITIES BECAUSE OF FEDERAL REQUIREMENTS LIMITING DISTRIBUTION OF RECORD CHECK RESULTS. Deletes provisions requiring adult care homes, nursing homes, home care agencies, and area authorities to request a national criminal history check on applicants for employment who have been a resident of the state for less than five years. Amends GS 114-19.10 to make conforming change and to clarify that Dep't of Justice may provide to listed entities a criminal record check of an individual who is employed by, has applied for employment with, or has volunteered to provide direct care on behalf of, the listed entities. Amends GS 80 to permit area authorities to submit criminal history record check requests to a private entity in lieu of the Dep't of Justice.

Intro. by Rand.

Ref. to Health Care	GS 114, 122, 122C, 131D, 131E
---------------------	-------------------------------

April 19, 2001

S 826. CRIMINAL RECORD CHECK CHANGE/LONG-TERM CARE. Intro. 4/3/01. Senate committee substitute makes the following changes to 1st edition. Deletes bill's provisions amending GS 122C-80 (relating to applicants for employment in area mental health, developmental disabilities and substance abuse authorities).

April 23, 2001

S 826. CRIMINAL RECORDS CHECK CHANGE/LONG-TERM CARE. Intro. 4/3/01. Senate amendment makes the following changes to 2nd edition. Adds provisions creating the Legislative Study Commission on Criminal History Record Checks, to study how federal law affects the distribution of national criminal history record check information requested for nursing homes, home care agencies, adult care homes, assisted living facilities, and area mental health, developmental disabilities and substance abuse services authorities, and the problems federal restrictions pose for effective and efficient implementation of state required criminal record checks. Comm'n to consist of 22 members: five Senators appointed by President Pro Tempore; five Representatives appointed by the Speaker; a representative of each of the following (appointed by President Pro Tempore): Ass'n of Long Term Care Facilities, Assisted Living Ass'n, Sec'y of Health and Human Services (or designee), Director of Div'n of Aging in Dep't of Health and Human Services, Director of Div'n of Mental Health, Developmental Disabilities, and Substance Abuse Services in same dep't, and Council on Community Programs; a representative of each of the following (appointed by the Speaker): Health Care Facilities Ass'n, Friends of Residents in Long Term Care, Director of SBI (or designee), Director of Div'n of Facility Services in Dep't of Health and Human Services, Attorney General (or designee), and CNC Access. Final report due before convening of 2003 session; interim report authorized to 2002 session.

July 10, 2001

S 826. CRIMINAL RECORD CHECK CHANGE/LONG-TERM CARE. Intro. 4/3/01. House committee substitute makes the following changes to 3rd edition. Rewrites title to read *AN ACT TO REPEAL THE REQUIREMENT FOR A NATIONAL CRIMINAL HISTORY RECORD CHECK FOR CERTAIN LONG-TERM CARE FACILITIES BECAUSE OF FEDERAL REQUIREMENTS LIMITING DISTRIBUTION OF RECORD CHECK RESULTS AND TO ESTABLISH THE STUDY COMMISSION ON CRIMINAL HISTORY RECORD CHECKS*. Rewrites bill to (1) create the Study Comm'n (instead of "Legislative Study Comm'n") on Criminal History Record Checks; (2) make changes in membership of the comm'n, including increasing size from 22 to 25 members and providing for five members to be appointed by the Governor; (3) require comm'n to file its final report on or before the convening of the 2002 Regular Session of the 2001 General Assembly (instead of 2003 Session); and (4) make all provisions relating to the study comm'n effective July 1, 2001.